

COUNTY COUNCIL

Jay Furfaro, Chair
Nadine K. Nakamura, Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

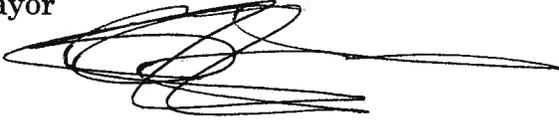
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Jade K. Fountain-Tanigawa, Deputy County Clerk

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Lihue, Kauai, Hawaii 96766

MEMORANDUM

June 17, 2013

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair 
RE: **REVISED JUNE 12, 2013 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 12, 2013 Council Meeting:

CONSENT CALENDAR:

C 2013-209 Communication (05/13/2013) from the Mayor, transmitting for Council consideration, pursuant to Sections 89-11(g) and 89C-5, Hawai'i Revised Statutes (HRS), the cost items for United Public Workers (UPW) Bargaining Unit 1 between July 1, 2013 and June 30, 2017, pursuant to Section 19.13(B) of the Kauai County Charter. *(Received for the Record.)*

C 2013-210 Communication (05/13/2013) from the Mayor, transmitting for Council consideration, pursuant to Sections 89-11(g) and 89C-5, Hawai'i Revised Statutes (HRS), the cost items for Hawai'i Government Employees Association (HGEA) Bargaining Units 2, 3, and 4 between July 1, 2013 and June 30, 2015, pursuant to Section 19.13(B) of the Kauai County Charter. *(Received for the Record.)*

C 2013-211 Communication (05/20/2013) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Hugh A. Strom to the Board of Water Supply for the County of Kauai – Term ending 12/31/2015. *(Received for the Record.)*

C 2013-212 Communication (06/06/2013) from Councilmember Yukimura, transmitting for Council consideration, a Resolution Establishing an Affordable Housing Advisory Committee. *(Received for the Record.)*

COMMUNICATIONS:

C 2013-213 Communication (04/30/2013) from Council Vice Chair Nakamura and Council Chair Furfaro, requesting the presence of the Director of Economic Development, representatives from the Kaua'i Economic Development Board, and consultants Joel Huesby and Chuck Wolfe, to provide an update on the Comprehensive Economic Development Strategy (CEDS) – Multi-Species Processing Facility (MSPF) and Commercial Kitchen Business Incubator (CKBI) business plans. *(Received for the Record.)*

C 2013-214 Communication (02/12/2013) from the Chief of Field Operations and Maintenance, Department of Public Works, requesting Council approval to purchase a portable gas engine driven hydraulic operator in the amount of \$12,000 from Project No. W08037, Appropriation Account No. 401-2071-624.85-02, to facilitate the raising and lowering of five (5) 60-inch levee slide gates at Gate A in the Waimea Levee. *(Approved.)*

C 2013-215 Communication (05/21/2013) from the Chief of Field Operations and Maintenance, Department of Public Works, requesting Council approval to include as part of the present Islandwide Road Resurfacing list, the reconstruction and resurfacing of 350 square yards of Maluhia Road, near the intersection with Kaumuali'i Highway, at an estimated cost of \$33,000. *(Approved.)*

C 2013-216 Communication (03/18/2013) from the Fire Chief, requesting Council approval to apply, receive, and expend the Assistance to Firefighters Grant (AFG) Fire Prevention and Safety Grants for the following projects:

- 1) Five hundred (500) Lithium Battery Smoke Alarms for a fire alarm campaign that targets high risk groups such as the elderly. The total cost of the project is \$13,000; the AFG request is \$10,400 with the County's obligation being a total of \$2,600.
- 2) Sixty thousand (60,000) Beach Safety Guides translated into Cantonese Chinese, German, Japanese, Korean, and Mandarin Chinese to assist non-English speaking visitors. The total cost of the project is \$12,000; the AFG request is \$9,600 with the County's obligation being a total of \$2,400.
- 3) One hundred forty (140) Helmet ID Accountability Systems to address firefighter safety. Each unit consists of one (1) leather front and two (2) magnetic side panels with fire company identification numbers. The total cost of the project is \$15,120; the AFG request is \$12,096 with the County's obligation being a total of \$3,024. *(Approved.)*

C 2013-217 Communication (05/23/2013) from the Chief of Police, requesting Council approval to accept and utilize a new vehicle acquired through its collaboration with the United States Marshals Service (USMS) for law enforcement purposes and joint law enforcement operations. *(Approved.)*

Council Meeting Follow-up Memo to the Mayor

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C 2013-218 Communication (05/29/2013) from the Fire Chief, requesting Council approval to accept the donation of propane refills from Hawai'i Gas for the Fire Safety and Educational Trailer to continue its participation in public events on Kaua'i. ***(Approved with thank-you letter to follow.)***

C 2013-219 Communication (05/29/2013) from the Director of Finance, transmitting for Council information the following reports:

(1) County of Kaua'i Bond Summary of General Long-Term Debt Amount Outstanding as of July 01, 2012;

(2) County of Kaua'i Bond Supplemental Summary of General Long-Term Debt Amount Outstanding as of June 30, 2013;

Excluded County of Kaua'i Bond Supplemental Summary of Long-Term Debt Amount Outstanding as of June 30, 2012: CFD No. 2008-1 (Kukui'ula Development Project) Special Tax Bonds, Series 2012, sold April 25, 2012. ***(Received for the Record.)***

C 2013-220 Communication (06/05/2013) from the County Engineer, requesting Council approval to apply for, receive, and expend State of Hawai'i, Department of Transportation (HDOT) "Safe Routes to School" federal funds provided by Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Extension Act for a total amount of \$1,183,000. ***(Approved.)***

C 2013-221 Communication (06/06/2013) from the County Attorney, requesting Council approval to expend funds up to \$26,000 for Special Counsel's continued services provided for the County of Kaua'i in Ricky L. Ball vs. Kaua'i Lagoons Resort Company, Ltd., et al., Civil No. 12-1-0289 JKW (Fifth Circuit Court), and related matters. ***(Approved.)***

C 2013-222 Communication (06/06/2013) from the County Attorney, requesting Council approval to expend funds up to \$26,000 for Special Counsel's continued services provided for the County of Kaua'i in Jeffery Sampoang vs. Harvey Brothers, LLC; et al., Civil No. 12-1-0294 JKW (Fifth Circuit Court), and related matters. ***(Approved.)***

C 2013-223 Communication (06/06/2013) from the County Attorney, requesting Council approval to expend up to \$11,000 for Special Counsel's continued services provided for Defendant Shaylene Iseri-Carvalho in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (United States District Court), and related matters. ***(Approved.)***

C 2013-224 Communication (06/06/2013) from the County Attorney, requesting Council approval to expend up to \$15,000 for Special Counsel's continued services provided for Defendant County of Kaua'i in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (United States District Court), and related matters. ***(Approved.)***

C 2013-225 Communication (06/06/2013) from the County Attorney, requesting Council approval to expend funds up to \$29,944 for Special Counsel's continued services to advise and represent the County Council in matters relating to the investigations of personnel matters involving the County Auditor's Office, and related matters. *(Deferred.)*

LEGAL DOCUMENT:

C 2013-226 Communication (05/31/2013) from Jodi A. Sayegusa, Deputy County Attorney, recommending Council approval of the following:

- Grant of Drainage Easement by KW Kiahuna LLC, conveying to Wainani at Po'ipū Community Association and the County of Kaua'i Easements D-4 and D-5, Wainani at Po'ipū Subdivision, Kōloa, Kaua'i, Hawai'i, for draining purposes. *(Approved.)*

CLAIMS:

C 2013-227 Communication (05/15/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Jeremy Riopta, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

C 2013-228 Communication (05/28/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Kyle Schumacher, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

C 2013-229 Communication (05/29/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Bruce Stine, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORT: APPROVED.

RESOLUTIONS:

Resolution No. 2013-55 – RESOLUTION ESTABLISHING A COUNCIL INVESTIGATING COMMITTEE TO INVESTIGATE THE MANAGEMENT AND IMPLEMENTATION OF THE TRANSIENT VACATION RENTAL AND FLOOD/BUILDING PERMIT ORDINANCES WITHIN THE COUNTY OF KAUA'I *(Amended to Resolution No. 2013-55, Draft 1, and Deferred to October 9, 2013 Council Meeting.)*

Resolution No. 2013-56 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY (*Hugh A. Strom*) (*Deferred pending interview on June 19, 2013.*)

Resolution No. 2013-57 – RESOLUTION ESTABLISHING AN AFFORDABLE HOUSING ADVISORY COMMITTEE (*Approved as Amended.*)

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2487) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2013 AND JUNE 30, 2017

(Approved on 1st reading, Public Hearing scheduled for 07/10/2013 at 8:30 a.m., and referred to the Committee of the Whole Meeting on 07/10/2013.)

Proposed Draft Bill (No. 2488) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2, 3, AND 4 BETWEEN JULY 1, 2013 AND JUNE 30, 2015 (*Approved on 1st reading, Public Hearing scheduled for 07/10/2013 at 8:30 a.m., and referred to the Committee of the Whole Meeting on 07/10/2013.*)

BILL FOR SECOND READING:

BILL NO. 2460, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 12, OF THE KAUA'I COUNTY CODE 1987, AS AMENDED, ENTITLED "BUILDING CODE" (*Deferred pending action taken by the Governor on Senate Bill 586.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council
Via E-mail: KCT Department Heads
KCT CCs
Staff